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PROVISIONAL ORDER OF DISCIPLINE FILED

JUL 01 2015

N.J. BOARD OF NURSING

ORDER OF DISCIPLINE
FILED

NOV 17 2015

STATE OF NEW JERSEY N.J. BOARD OF NURSING
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF

Administrative Action

PROVISIONAL ORDER OF DISCIPLINE

CHRISTOPHER M. RAASCH, R.N. License # 26NR 16034100

V FINAL ORDER
OF DISCIPLINE

TO PRACTICE NURSING IN THE : On NOW STATE OF NEW JERSEY :

(Finalized by default on November 17,2015)

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

:

## FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

- 2. On or about June 28, 2013, an administrative complaint was signed by the State of Florida, Department of Health, against respondent, alleging unprofessional conduct relating to documentation of the administration of controlled substances, including hydromorphone, lorazepam, and dilaudid. A Final Order was filed on February 14, 2014, suspending respondent's Florida nursing license until he entered into the Intervention Program for Nurses (IPN) and complied with any and all terms and conditions IPN imposed. (Exhibit A)
- 3. On or about February 24, 2015, the State Board of Nursing of the Commonwealth of Pennsylvania issued a Final Order, suspending respondent's Pennsylvania nursing license indefinitely, retroactive to September 15, 2014. The basis for the Pennsylvania Board's action was respondent's failure to submit to a mental and physical examination. (Exhibit B)
- 3. According to the 2015 order, the examination had been scheduled for July 23, 2013, and respondent did not attend the evaluation. Respondent's sister indicated that he was incarcerated in Florida on that date. (Exhibit B)
- 4. On or about May 27, 2014, respondent renewed his New Jersey nursing license. Respondent indicated "N" for "no" on the application, in response to a question as to whether any action

had been taken or was then pending against his nursing license in any other jurisdiction; and indicated "N" for "no" in response to a question as to whether he had been arrested for, charged with or convicted of any crime or offense since his last renewal. (Exhibit C)

## CONCLUSIONS OF LAW

- 1. The suspension of respondent's nursing license by the Department of Health of the State of Florida, and by the Board of Nursing of the Commonwealth of Pennsylvania subjects respondent to sanctions pursuant to  $N.J.S.A.\ 45:1-21(g)$ .
- 2. Respondent's indication of "N" for "no" in response to the question as to whether any action had been taken or was pending against his nursing license in any other jurisdiction constituted misrepresentation in violation of N.J.S.A. 45:1-21(b), as an administrative complaint had been filed in 2013 by the Department of Health of the State of Florida against respondent.
- 3. The filing of both the Florida and Pennsylvania orders is a sufficient basis for the Board to order respondent, as a condition for continued licensure, to undergo evaluation and monitoring to verify that his continued practice as a nurse does not place the public at risk, pursuant to N.J.S.A. 45:1-22(f).

ACCORDINGLY, IT IS on this day of \_\_\_\_\_\_, 2015

ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in this matter:

- 1. Respondent's New Jersey nursing license is hereby suspended until he has enrolled, at his own expense, in the Recovery and Monitoring Program of New Jersey (RAMP) and has demonstrated that he is fit and competent to practice nursing.
- 2. A reprimand is hereby imposed for the violation of N.J.S.A. 45:1-21(b).
- 3. A civil penalty in the amount of \$500 is hereby imposed for the violation of N.J.S.A. 45:1-21(b). Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and sent to the attention of Leslie Burgos-Bonilla, Board of Nursing, P.O. Box 45010, 124 Halsey Street, Sixth Floor, Newark, NJ 07101 within twenty-one (21) days of the filing of a Final Order of Discipline in this matter.
- 4. Upon finalization of this order, respondent shall refrain from practicing as a nurse and shall not represent himself as a Registered Professional Nurse until such time as his license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.
- 5. The within order shall be subject to finalization by the Board at 5:00 p.m. on the  $30^{\mathrm{th}}$  day following entry hereof unless

Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

- a) Submitting a written request for modification or dismissal to Leslie Burgos-Bonilla, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.
- 6. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.
- 7. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon

review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

8. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline shall automatically become the Final Order of Discipline. The box for Final Order of Discipline shall be checked, the Final Order of Discipline shall be filed, and copies shall be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF NURSING

Bvz •

Patricia Murphy, PhD

Board President